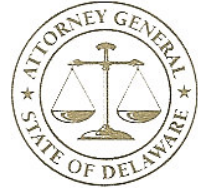


STATE OF DELAWARE
DEPARTMENT OF JUSTICE



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PLEASE REPLY TO:

October 18, 2006

[New Castle County-Civil Division]

The Honorable Joseph J. Farnan, Jr.
United States District Court
District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801

Re: ***Hamby v. Kastre, et al.,***
D. Del., C.A. No. 05-626-JJF

Dear Judge Farnan:

In accordance with the scheduling order filed by this Court on June 21, 2006, reports from retained experts are due from the State Defendants by Tuesday, October 24, 2006. (D.I. 49). At present, State Defendants Stanley Taylor and Raphael Williams (the "State Defendants") have not retained any expert witnesses. The State Defendants however, do not waive, and expressly reserve, the right to call an expert witness to testify in this matter should the need arise. At such time the State Defendants will submit an expert report. Thank you.

Sincerely,

/s/ Erika Y. Tross

Erika Y. Tross
Deputy Attorney General

EYT/vd
cc: Ricky J. Hamby, Plaintiff